



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: [WWW.DPR.DELAWARE.GOV](http://WWW.DPR.DELAWARE.GOV)

DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	<b>Board of Electrical Examiners</b>
MEETING DATE AND TIME:	<b>Wednesday, September 1, 2010</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES APPROVED:	October 6, 2010

**MEMBERS PRESENT**

Ronald Marks, President, Professional Member  
Robert Sharp, Vice-President, Professional Member  
Richard Millar, Public Member  
Robert MacLennan, Professional Member  
William Poore, Public Member  
Frank Beebe, Public Member  
Daniel Creedon, Professional Member

**ABSENT**

Donald Collins, Public Member  
Jerry Craig, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Patricia Davis Oliva, Deputy Attorney General  
Danny Stevenson, Deputy Attorney General  
Stacy Stewart, State Deputy Attorney General  
Judy Letterman, Administrative Specialist III  
Jenn Witte, Administrative Specialist II  
Paul Eihinger, Investigator

**ALSO PRESENT**

Kenneth Gassman  
Carolyn Stankiewicz  
Vince Bailey, Court Reporter

**CALL TO ORDER**

Mr. Marks called the meeting to order at 8:57 a.m.

## **REVIEW OF MINUTES**

A motion was made by Mr. MacLennan, seconded by Mr. Marks to approve the minutes as presented. The motion was unanimously carried.

## **UNFINISHED BUSINESS**

### **Rule to Show Cause Hearing – Richard Porter**

Ms. Davis Oliva stated that today's hearing was the result of Mr. Porter's failure to comply with the post renewal audit.

Members of the Board were introduced.

Mr. Porter was not present for the hearing.

Ms. Oliva gave opening remarks and presented the Board with Board exhibits which were marked and moved into evidence.

Judy Letterman was sworn in and gave testimony.

The Board went off the record and into deliberations.

The Board went back on the record.

A motion was made by Mr. MacLennan, seconded by Mr. Sharp, to revoke Mr. Porter's license as well as place a hold on his pending Master Electrician application. The motion was unanimously carried.

### **Rule to Show Cause Hearing - Kenneth Gassman**

Ms. Oliva stated that today's hearing was the result of Mr. Gassman's failure to respond to the post renewal audit.

Members of the Board were introduced.

Kenneth Gassman was sworn in and agreed to go forward without legal counsel.

Ms. Oliva gave opening remarks and presented the Board with Board exhibits which were marked and moved into evidence without objection from Mr. Gassman.

Mr. Gassman gave opening remarks and answered questions of the Board.

Mr. Gassman gave a closing statement.

The Board went off the record and into deliberations.

The Board went back on the record.

A motion was made by Mr. MacLennan, seconded by Mr. Sharp, to accept the 2008 NEC Electrical Code for the 2008 renewal which can not be used for the 2010 renewal, and he will automatically be flagged for the 2012 post renewal audit. The motion was unanimously carried.

#### Rule to Show Cause Hearing - Michael Ashback

Ms. Davis Oliva stated that today's hearing was the result of a complaint that Mr. Ashback was practicing without a license.

Members of the Board were introduced.

Mr. Ashback was not present for the hearing.

Ms. Davis Oliva gave opening remarks and presented the Board with Board exhibits which were marked and moved into evidence.

Judy Letterman was sworn in and gave testimony.

Ms. Stewart stated that Mr. Ashback did an electrical repair at the rental property of Carolyn Stankiewicz. He gave her a hand-written invoice and admitted to being registered but not licensed to practice.

Ms. Stankiewicz was sworn in. She testified that she hired Mr. Ashback to complete some minor work in her home and that he was referred to her by a licensed plumber. She informed the Board that he had performed electrical services in her rental property without a license. She then hired a license electrician who stated that the work performed by Mr. Ashback was not up to code and could have resulted in a fire.

Mr. Eihinger was sworn in, gave his testimony, and was excused.

Ms. Stewart asked that Mr. Ashback be issued a Cease & Desist and recommended that the Board amend their statute by eliminating the Cease & Desist letter as a sanction and implement a monetary fine for practicing without a license.

The Board went off the record and into deliberations.

The Board went back on the record.

A motion was made by Mr. MacLennan, seconded by Mr. Sharp, that Mr. Ashback was in violation with 1407(a) of the Board's statute and to issue a Cease & Desist letter. The motion was unanimously carried.

#### Final Denial of Applications

The Board sent notification to Michael Dunn and Michael Wolfe that they were proposing to deny their applications. They have not submitted any additional documentation or requested a hearing.

A motion was made by Mr. MacLennan, seconded by Mr. Sharp, that their applications be denied. The motion was unanimously carried.

#### Compliance to Decision and Order

A motion was made by Mr. MacLennan, seconded by Mr. Sharp, that because Wayne Miller was not in compliance with the Board's Decision and Order which required him to pay a monetary fine, a Show Cause Hearing should be scheduled for the October Board Meeting. The motion was unanimously carried.

#### Review of Exam Results

The Board reviewed the exam results which showed that out of 26 candidates 9 received a passing score: Christopher Andrews-Master, Sean Christie-Master Brock Cook-Master, Kevin Kaiser-Limited, lakkeb Pennington-Limited and Marcus Smith-Limited.

#### Re-review of Applications

A motion was made by Mr. MacLennan, seconded by Mr. Creedon, that James Creighton's application be denied due to not having five years of experience after his license was issued. The motion was unanimously carried.

#### Elections

A motion was made by Mr. Marks, seconded by Mr. MacLennan to nominate Rob Sharp as Board President.

A motion was made by Mr. Sharp, seconded by Mr. MacLennan to nominate Dan Creedon as Vice-President.

A motion was made by Mr. Sharp, seconded by Mr. Creedon to nominate Donald Poore as Board Secretary.

A motion was made by Mr. Sharp, seconded by Mr. Creedon to nominate Rob MacLennan as Continuing Education Officer.

A motion was made by Mr. Sharp, seconded by Mr. Creedon to nominate Jerry Craig as Complaints Officer.

A motion was made by Mr. Sharp, seconded by Mr. Beebe to accept the nominations. The motion was unanimously carried.

#### **New Business**

##### Ratification of Applications

There were no applications to ratify.

##### Review of Reciprocity Applications

A motion was made by Mr. Sharp, seconded by Mr. Beebe, to approve the applications of John Hall, Michael Mayfield, Anthony D'Apice, Mitchell Traina, Roy Southard, Joseph Davis, and

Russell Xanders and proposed to deny the application for Quenn Garris since he has not held a license for five years however, he is eligible to take the Master exam. The motion was unanimously carried.

#### Review of Examination Applications

A motion was made by Mr. MacLennan, seconded by Mr. Poore to approve to take the Limited exam application of William Brainard III, Brandon Fleming, Michael Albanese, Clinton Brothers and the Master exam application of Chester Kelly. The motion was unanimously carried.

#### Review of Continuing Education

A motion was made by Mr. MacLennan, seconded by Mr. Sharp to approve the following courses as indicated:

##### Penn-Del-Jersey-NECA

NJATC Healthcare Systems (Managing & Installing Electrical Circuits)-tabled for course outline  
Electrical Transmission and Distribution (OSHA)-2 hours  
Edison Electric Institute Contractor SAFETY Initiative-2 hours  
LED Technology Can Change Your Business-4 hours  
2011 NEC Significant Changes-2 hours  
Achieving Selective Coordination-2 hours  
Advance lighting Controls-4 hours  
Alternative Energy Solutions-4 hours  
Significant Proposed Changes to NFPA-70E-2012-4 hours  
OSHA-10-For Outside (Linework)-5 hours

##### EC&M Seminars

EC&M 2011 NEC Code Changes Conference-10 hours

##### Middle Department Inspection Agency, Inc.

2011 NEC Commercial Electrical Installation Seminar-5 hours  
2011 NEC Residential Electrical Installation Seminar-5 hours  
GFCI, Marinas/Boatyards, Swimming Pools/Fountains & Similar Installations-10 hours  
Changes to the 2011 NEC, Part 1-5 hours  
Changes to the 2011 NEC, Part 2-5 hours

##### Infinite Solar

5 Day Entry Level Solar PV Design and Installation Course-10 hours

#### Review of Consent Order

A motion was made by Mr. Sharp, seconded by Mr. Poore, to table the review of the Consent Order for Robert Brittingham until the Board received a copy of the original complaint. The motion was unanimously carried.

#### Complaints Open/Closed

01-01-06-Forwarded to AG's Office  
01-06-08-Forwarded to AG's Office

01-09-08-Forwarded to AG's Office  
01-10-08-Forwarded to AG's Office  
01-01-09-Assigned  
01-02-09-Assigned  
01-04-09-Assigned  
01-07-09-Forwarded to AG's Office  
01-08-09-Forwarded to AG's Office  
01-09-09-Forwarded to AG's Office  
01-11-09-Forwarded to AG's Office  
01-12-09-Forwarded to AG's Office  
01-13-09-Assigned  
01-14-09-Assigned/Forwarded to AG's Office  
01-15-09-Assigned  
01-16-09-Assigned  
01-17-09-Assigned  
01-18-09-Forwarded to AG's Office  
01-01-10-Assigned  
01-02-10-Assigned  
01-04-10-Forwarded to AG's Office  
01-06-10-Forwarded to AG's Office  
01-08-10-Forwarded to AG's Office  
01-09-10-Assigned  
01-13-10-Assigned

A motion was made by Mr. Sharp, seconded by Mr. Beebe, to table this agenda item until the October meeting. The motion was unanimously carried.

#### Schedule Disciplinary Hearings

A motion was made by Mr. Sharp, seconded by Mr. MacLennan, to schedule hearings for Timothy Amin and Building Inspection Underwriters for the October Meeting. The motion was unanimously carried.

#### **OTHER BUSINESS BEFORE THE BOARD**

A Rule to Show Cause Hearing will be schedule in October for James Jenkins concerning his post-renewal audit.

The Board received a memo from James Collins, Division Director, concerning the upcoming Legislative session, asking the Board to submit any proposed legislation to his office by November.

Ms. Davis Oliva will draft the proposed legislative change, concerning the homeowner permit, for the Board to review at the October meeting.

#### **PUBLIC COMMENT**

No public comment.

**NEXT SCHEDULED MEETING**

The next scheduled meeting will be held on Wednesday, October 6, 2010 in Conference Room A, second floor of the Cannon Bldg. 861 Silver Lake Blvd. Dover DE.

**ADJOURNMENT**

A motion was made by Mr. Marks, seconded by Mr. MacLennan to adjourn. The motion was unanimously carried. The meeting was adjourned at 11:23 am.

Respectfully submitted,

Jennifer Witte

Administrative Specialist II